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BROCADE COMMUNICATIONS SYSTEMS,
INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ANDREW E ROTH, derivatively on behalf of
BROCADE COMMUNICATIONS SYSTEMS,
INC.,

Plaintiff,

v.

GREGORY REYES, MICHAEL BYRD
ANTONIO CANOVA, JACK CUTHBERT, and
BROCADE COMMUNICATIONS, SYSTEMS,
INC.

Defendants.

CASE NO.: 3:06:-CV-2786 CRB

JOINT STIPULATION AND
[PROPOSED] ORDER EXTENDING
TIME TO RESPOND TO AMENDED
COMPLAINT

WHEREAS, the complaint in this action was filed on April 24, 2006;

WHEREAS, defendant Brocade Communications Systems, Inc. ("Brocade") filed a
motion to dismiss the complaint on June 8, 2006;

WHEREAS, plaintiff then decided to amend the complaint in lieu of opposing Brocade's
motion to dismiss, and filed an amended complaint on July 14, 2006;

WHEREAS, plaintiff and defendants Brocade, Cuthbert, Canova and Reyes previously
agreed that defendants' responses to the amended complaint would be due on August 28, 2006;

1 WHEREAS, defendant Byrd was to serve his response two weeks after defendant
2 Brocade's response was served.

3 THEREFORE, the parties hereby stipulate as follows:

4 Defendant Brocade's response to the amended complaint shall be served and filed by
5 September 11, 2006;

6 The responses of defendants Cuthbert, Canova, Reyes and Byrd to the amended
7 complaint shall be served and filed by September 25, 2006;

8 Plaintiff's opposition to any motions to dismiss filed in response to the amended
9 complaint will be due October 23, 2006.

10 Defendants' reply briefs will be due November 13, 2006.

11
12 Dated: August 24, 2006

WILSON SONSINI GOODRICH & ROSATI
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15 /s/ Katherine L. Henderson
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18 *Counsel for Defendant*
19 *Brocade Communications Systems, Inc.*

20 Dated: August 24, 2006

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Counsel for Plaintiff Andrew E. Roth

7 Dated: August 24, 2006

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Counsel for Defendant Michael Byrd

15 Dated August 24, 2006

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Counsel for Defendant Antonio Canova

22 Dated: August 24, 2006

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Counsel for Defendant Jack Cuthbert

1 Dated: August 24, 2006

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8 *Counsel for Defendant Gregory Reyes*

10 PURSUANT TO STIPULATION AND GOOD CAUSE APPEARING,
11 IT IS SO ORDERED.

12 Dated: August 25, 2006

13 THE HONORABLE CHARLES R. BREYER
United States District Judge

